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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,066	04/20/2001	Sanjiv Maurya	35451/108 (3569.Palm)	2379
26371	7590	05/04/2005	EXAMINER	
FOLEY & LARDNER 777 EAST WISCONSIN AVENUE SUITE 3800 MILWAUKEE, WI 53202-5308			NGUYEN, TRONG NHAN P	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,066

Applicant(s)

MAURYA ET AL.

Examiner

Jack P. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-51 is/are pending in the application.
- 4a) Of the above claim(s) 1-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to Applicant's amendment filed on 11/15/04. Claims 1-29 are canceled. Claims 30-51 are being examined.

Response to Arguments

Applicant's arguments filed on 11/15/04 have been fully considered but are moot based on new grounds of rejection.

Claim Objections

Claims 30 and 41 are objected to because of the following informalities: Claims 30 and 41 recite, "...a third server in communication with the first server and with the second server... the third server being a source for the content... and the 'first' server receiving the request from the second server..." There appears to be a typo in the claims. The 'first' server should be the 'third' server. The claims should recite, "...and the 'third' server receiving the request from the second server and delivering the content back to the second server." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 30-32, 37-39, 41-43, and 48-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Lai, 6,593,860 (Lai hereafter).

As per claim 41, Lai teaches a system configured for a handheld computer to access content, comprising: a handheld computer (col. 7, line 6; a personal digital assistant 'PDA' client is a wireless handheld device); a wireless gateway (col.10, lines 42-45; wireless gateway (or proxy server) is used to establish wireless communications between the wireless client and the network); a first server in communication with the handheld computer (col. 9, lines 61-63; wireless client (102, fig. 1) sends request to web server (202, fig. 2); web server can be referred to as first server); a second server in communication with the first server, the second server receiving a request for content, the second server being configured with software to send the request for content to the source of the content if the server is configured with a formatting software for the type of content (col. 10, lines 10-16, 30-33; resource manager (or server) (208, fig. 2) processes the client requests to retrieve and transcode retrieved content data from content server); a third server in communication with the first server and with the second server and the third server being a source for the content requested by the handheld computer and the third server receiving the request from the second server and

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delivering the content back to the second server (col. 8, lines 37-42; col. 10, lines 10-16; third (or content) server (104, fig. 1) provides content data for a wireless requesting client (102, fig. 1)); a server program running on the second server and the server program configured to format the content into a form for delivery to a handheld computer (col. 10, lines 10-16, 40-41; resource server, working in conjunction with transcoding servers (218, fig. 2), transcodes (or translates) the retrieved data from the content provider into compatible formats to deliver to requesting client); and a handheld program running on the handheld computer and configured to receive the formatted content from the first server and provide access to the content by a user using the handheld computer, the handheld computer not having software which could access the unformatted content (col. 7, lines 53-61; handheld client (102, fig. 1) is configured to receive translated content processed by the transcoding system (106, fig. 1) in compatible formats for display; i.e., handheld device is incapable of displaying incompatible, unformatted data in accordance to its intended purposes).

Claim 30 recites similar limitations to claim 41; therefore, it is rejected by similar rationale as claim 41.

As per claims 31-32, Lai teaches the first server is configured to receive a request for content from the handheld computer (col. 7, lines 53-56; transcoding system (106, fig. 1) receives requests from handheld client devices (102, fig. 1); first server (web server) is a component of transcoding system that processes client requests [see element 202, fig. 2; col. 9, lines 11-14, 61-63]); wherein handheld computer is in wireless communication with the first server (col. 9, lines 11-14).

As per claims 37-38, Lai teaches wherein the first server is configured to communicate a link to the content, on the third server, to the second server (col. 9, lines 2-7; the first server serves as a conduit between the handheld device and participating servers on the network; first server passes the request (with address of the content server) to the resource server (208, fig. 2) so the resource server can allocate resources to retrieve and process the content data into formats compatible with the handheld device) and the second server is configured to retrieve the content from the third server (col. 10, lines 10-16, 50-52; resource server, working in conjunction with the transcoding server (218, fig. 2), processes the client requests to retrieve and translate content data to be delivered to handheld devices).

As per claims 39, Lai teaches the second server is configured to convert the content to a converted format suitable for communication to the handheld computer (col. 10, lines 10-16, 50-52).

Claim 42 is rejected by similar rationale as claim 31.

As per claim 43, Lai discloses the handheld computer is in wireless communication with the first server through the wireless gateway (col. 9, lines 11-14; col. 10, lines 42-45; wireless gateway proxy relays data between the handheld device and the server).

Claim 46 is rejected by similar rationale as claim 35.

Claims 48-49 are rejected by similar rationale as claims 37 and 38.

Claim 50 is rejected by similar rationale as claim 39.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33-36, 40, 44-47, and 51 rejected under 35 U.S.C. 103(a) as being unpatentable over Lai in view of Kanevsky, 6,300,947 (Kanevsky hereafter).

As per claims 33-34 and 44-45, Lai discloses a transcoding system (106, fig. 1) that transcodes retrieved content from content provider into media stream formats that are compatible with the requesting devices (abstract, col. 9, lines 48-52; col. 10, lines 40-44). Lai does not explicitly teach the first server is configured to retrieve the content from the third server and to provide the content to the second server. In a related art of claimed invention, Kanevsky discloses a web page adaptation system where the server (104, fig. 1; can be referred to as first server) retrieves web page data from content server (106, fig. 1; or third server) and forwards the content data to web page adaptation server 'WPAS' (107, fig. 1; or second server) for translating the data into compatible formats according to the display capabilities of the requesting client (abstract, col. 6, lines 20-23; col. 7, lines 10-12, 16-19, 25-29, 42-44). Hence, it would have been obvious to one of ordinary skilled in the art combine the teachings of Lai and Kanevsky to allow all types of content (e.g., web page, media stream, etc.) to be transcoded into compatible formats and delivered to the requesting devices.

As per claims 35 and 46, Lai teaches the second server is configured to convert the content to a converted format suitable for communication to the handheld computer (col. 10, lines 10-16, 40-41).

As per claims 36 and 47, Kanevsky discloses the first server is configured to retrieve the converted format and is configured to send the converted format to the handheld device (col. 16, lines 34-36).

Claims 40 and 51 are rejected using similar rationale as claims 36 and 47.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P. Nguyen whose telephone number is (571) 272-3945. The examiner can normally be reached on M-F 8:30-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn



Dung C. Dinh
Primary Examiner